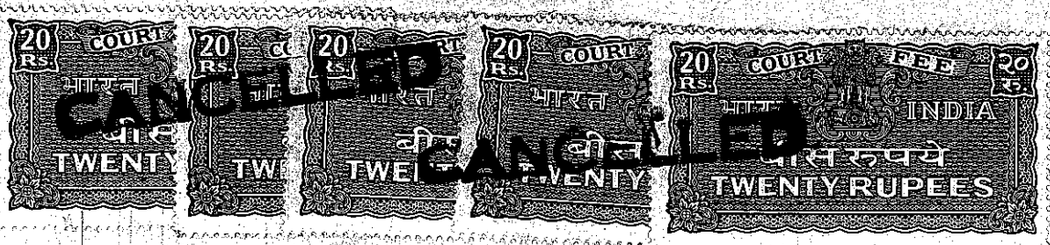

IN THE HIGH COURT OF JUDICATURE AT JABALPUR (M.P.)

W.P. No. 2943/2000.

PETITIONER :- Manoj Kumar Shrivastava s/o late M.P.Shrivastava, aged 47 years, Manager, Udyami Vikas Sansthan, R/o 35 Shyamala Hills, Bhopal (M.P.).

-Versus -

RESPONDENTS :- R1. State of M.P. through the Secretary, Tribal and Scheduled Caste, Welfare, Vallabh Bhavan, Bhopal.

R2. Udyami Vikas Sansthan, through its Managing Director, 35 Shyamala Hills, Bhopal (M.P.).

R3. Commissioner, Bastar Division, Raxkar Jagdalpur (M.P.).

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC—78

(130)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

W.P.No. 2942/2001

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
26/11/2001	Shri Manindra Shrivastava, counsel for the petitioner. Shri Deep Kesharwani, learned PL for the State. Heard. O R D E R On 23/10/2001 fixed date SPC was ordered to be issued and the same was issued on 24/10/2001. In order to expedite hearing of the matter, Humdast notice was also permitted. It is stated that Humdast notice was effected upon th[illegible] dents. None represents the respondents 1 & 2. Shri [illegible] Kesharwani, PL for respondent no.3/State. The impugned order was issued on 22/4/2000 (Annex P/3). Another person namely Rajesh Nigam, who was affected by the same order, has filed the Writ Petition before the High Court of Madhya Pradesh vide Writ Petition No.4054/2000 challenging the said impugned order and the same came to be disposed of on 18/4/2001. The operative portion of the order reads as under: "Accordingly, the impugned order Annexure-P/7 is quashed qua the petitioner. The respondent no.2 shall, however, be free to take decision in accordance with law with regard to the services of the petitioner".	

..2..

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक.....**सन्** 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

It may be stated that though the impugned order was issued by which the writ petitioner was directed to join at Dantewada, he had not proceeded as in the meantime the State of Chattisgarh came into existence. It was submitted that since the petitioner had from the very beginning ~~desirous that he~~ wished to join in Madhya Pradesh, his case should be considered in the manner the case of Shri Rajesh Nigam was to be considered. Though notices were issued, respondents are not represented today. In the mean-time, the petitioner is at a loss as to where he would join now. It is submitted that it is the responsibility of the respondents particularly respondent - 2 to consider the case of the petitioner and pass necessary orders with regard to service of the writ petitioner.

In the facts and circumstances of the present case, I direct that the petitioner be allowed to join at the head office of respondent no.2 on 1/12/2001. It is for the respondent 2 to decide finally the place of posting and other claims of the writ petitioner including the claim of his pay and allowances during the intervening period.

With the above observations and directions, this petition is disposed of. C.C. as per rules.

Sd/-
Chief Justice

Gr. PRJ—FS/350—12/2000—50,000.

rsnr*